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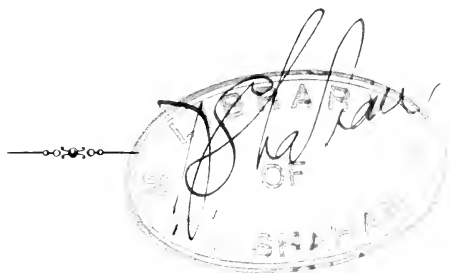
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A GUIDE
TO THE STUDY OF
THE HISTORY AND THE CONSTITUTION
OF THE UNITED STATES.

BY
WILLIAM W. RUPERT, C.E.,
PRINCIPAL BOYS' HIGH SCHOOL, POTTSTOWN, PA.



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I DEDICATE THIS BOOK
TO MY FRIEND

M. H. Richards, Esq.,

TO WHOM I AM INDEBTED FOR MANY
VALUABLE SUGGESTIONS.



PREFACE.



THE object of this book is to aid the teacher in imparting, and to guide the student in acquiring, a knowledge of the history and the Constitution of the United States. It is designed to be used as a supplementary work in connection with any text-book on United States history. Young persons are incapable of distinguishing between important and unimportant historical facts. It is therefore the teacher's duty so to direct the student's work that his energies may be employed upon those things that are most worthy of his attention.

It is plain that the topical method of teaching history is best adapted to this end; but when this method is adopted, a supplementary work containing the topics is needed. But even after the pupil has an important topic assigned, he may, through misdirected effort, waste much time in considering it. For the purpose of offering him some assistance, the topics in the first part of this book are subdivided. As soon as students have learned how to study topics intelligently, these subdivisions are unnecessary, and they are therefore omitted in the greater

part of this work. Neither the topics nor their subdivisions are to be committed to memory. They are intended simply to guide the pupil in the right direction. The teaching of history offers an excellent opportunity for interesting pupils in good, wholesome literature. There are hundreds of choice books that would captivate our boys and girls if they were only made acquainted with them. To introduce them to a few of these is one object of this book. This is accomplished by naming, in immediate connection with the topics, a large number of books that throw light upon and add interest to the subjects considered. Every school should have a reference library for the use of the pupils attending it. It is not expected that any school will buy all the books named in this work; but even if a few volumes are purchased, much good will be done.

A large part of this work is devoted to explanations of the more difficult parts of the Constitution of the United States. If the Constitution is simply memorized, much time is wasted, and very little is accomplished. All text-books on United States history contain the Constitution, but none explain it. When the student enters upon the study of this subject (and it should receive his attention immediately after he has studied the Revolution), he should have at his command easily understood explanations of all those provisions that he cannot be expected to understand without assistance. No explana-

tions of the simpler provisions are offered, because they would deprive the student of the benefits that may be derived from careful, independent study.

Matter admitting of presentation in tabular form has been collected in an appendix. Here will also be found a short list of books adapted to the purpose of supplementary reading on history, and some interesting and valuable historical information not always readily accessible to the student.

POTTSTOWN, PA., May, 1888.



SUGGESTIONS TO TEACHERS.



SOME topics that teachers may desire to discuss with their pupils are not given in this book. It is believed, however, that the omitted subjects will be found of such a character that all necessary information regarding them may be obtained by having the history class converted, for a short time, into a reading class. Much history should be merely read. Intelligent reading is worth infinitely more than passive, thoughtless memorizing. The teacher will find that many of the topics, embracing a number of related facts, will furnish material for several recitations. In other cases, a number of topics may be required for one lesson.

NOTE.



THE prices named in this book are for cloth binding. Since the prices of books change, and discounts are frequently made, the figures given here may occasionally be too high.

The author's object has been accomplished if he has indicated approximately the cost of the books named.

PERIOD I.

DISCOVERERS AND DISCOVERIES (986-1607).

1. The Norsemen.
 1. Their character.
 2. Their discoveries.
 3. Why their discoveries were of little value.
2. Columbus.
 1. Birth.
 2. Education and character.
 3. Efforts to obtain aid.
 4. Voyages.
 5. Why the New World was not named after him.
 6. His death.

The Life and Voyages of Christopher Columbus.
3 vols. By Washington Irving. G. P. Putnam's
Sons, N.Y. \$1.00 per vol.

3. The Indians.
 1. Why so called.
 2. Origin.
 3. Language.
 4. Personal appearance.
 5. Manners and customs.

The Conspiracy of Pontiac. 2 vols.

The Oregon Trail. By Francis Parkman. Little,
Brown, & Co., Boston. \$2.50 per vol.

Indian History for Young Folks. By Francis S. Drake. Illustrated. Harper & Bros., N.Y. \$2.75.

4. Magellan (Portuguese under the Spanish flag).
 1. Efforts to obtain aid.
 2. His voyage.
5. De Ayllon (Spaniard).
 1. Voyages.
 2. His treatment of the Indians.
 3. Result of this treatment.
6. De Soto (Spaniard).
 1. Exploration of Florida.
 2. Discovery of the Mississippi.
 3. His death.
7. Melendez (Spaniard).
 1. His character.
 2. Attempt to plant a colony in Florida.
 3. Treatment of the Huguenots.
 4. The character of his king, Philip II.

THE FRENCH IN AMERICA.

8. Verrazzani.
 1. Object of his voyage.
 2. Extent of his explorations.
9. Cartier.
 1. Objects in view.
 2. Results.
10. De Monts.
 1. Extent of country controlled by him.
 2. First permanent French settlement in America.

11. Champlain.

1. His object in coming to America.
2. Founding Quebec.
3. Lake Champlain.

The Pioneers of France in the New World. By Francis Parkman. Little, Brown, & Co., Boston. \$2.50.

Contains much valuable and interesting information relating to the seven last-named explorers.

The Making of the Great West. By Samuel Adams Drake. Illustrated. Charles Scribner's Sons, N.Y. \$1.50.

THE ENGLISH IN AMERICA.

12. The Cabots.

1. Character of the men.
2. Objects of their voyages.
3. Extent of their explorations.
4. Value of their services to England.

13. Martin Frobisher.

1. Object of his voyages.
2. His discoveries.

14. Sir Francis Drake.

1. Searching for the North-west passage.

Voyages and Adventures of Drake the Sea King
By G. M. Towle. Illustrated. Lee & Shepard,
Boston. \$1.25.

15. Sir Humphrey Gilbert.

1. His plan of colonization.
2. Character of his patent.
3. Causes of failure.

16. Sir Walter Raleigh.

1. Extent and position of territory covered by his patent.
2. His object.
3. Causes of failure.

Exploits and Voyages of Raleigh. By G. M. Towle.
Illustrated. Lee & Shepard, Boston. \$1.25.

17. London Company (patent issued by James I.).

1. Character of men composing it.
2. Extent of their grant.
3. Peculiar form of government under the first charter.
4. Jamestown founded.

18. The Pilgrims.

1. Their origin.
2. Preparations for leaving home.
3. The voyage.
4. Privations and disease.

Landing of the Pilgrim Fathers (poem). By Mrs. Hemans.

Pilgrims and Puritans. By Miss N. Moore. Illustrated. Ginn & Co., Boston. 60 cents.

The Making of New England. By Samuel Adams Drake. Illustrated. Charles Scribner's Sons, N.Y. \$1.50.

THE DUTCH IN AMERICA.

19. Dutch explorers.

1. Henry Hudson.
2. Object of his voyages.

3. Other explorers.

4. Result of these explorations.

History of New York. By Hon. Ellis H. Roberts.

2 vols. Houghton, Mifflin, & Co., Boston. \$1.25
per vol.

PERIOD II.

COLONIAL HISTORY (1607-1775).

20. Captain John Smith.

1. His character.
2. Exploits.
3. Value of his work at Jamestown.
4. Difficulties encountered.
5. Incidents.

Young Folks' Book of American Explorers. By
T. W. Higginson. Illustrated. Lee & Shepard,
Boston. \$1.50.

21. Pocahontas.

1. Her marriage.
2. Visit to England.
3. Her descendants.

22. Introduction of Slavery.

1. When.
2. By whom.

23. Charles I.

1. Relations with the colonists.
2. Character.
3. Execution.

Leading Facts of English History. By D. H. Montgomery. Ginn & Co., Boston. \$1.12.

The history of the United States cannot be understood without a knowledge of contemporaneous English history. The student will find this book very interesting and helpful.

24. Cromwell.

1. Elevation to power.
2. Character.
3. Attitude towards the colonists.

Life of Oliver Cromwell. By Henry William Herbert. Porter & Coates, Phila. 35 cents.

25. Charles II.

1. "The Restoration."
2. His character.
3. His treatment of the colonists.

26. Bacon's Rebellion.

1. Causes.
2. Consequences.

A Short History of the English Colonies. By Henry C. Lodge. Harper & Brothers, N.Y. \$3.00.

27. Miles Standish.

1. Character.
2. His army.

The Courtship of Miles Standish. By H. W. Longfellow.

28. Roger Williams.

1. Cause of his banishment from Massachusetts.
2. Character and education.
3. His work in America.

29. Harvard College.
 1. Its origin.
 2. John Harvard.
30. The Quakers in Massachusetts.
 1. Their treatment.
31. King Philip's War.
 1. Causes.
 2. Results.

At this point the student can, with great profit, read Edward Eggleston's series of articles relating to colonial life. These articles are all illustrated: Social Conditions in the Colonies, *Century Magazine* for October, 1884; The Colonists at Home, *Century Magazine* for April, 1885; Social Life in the Colonies, *Century Magazine* for July, 1885.

32. Sir Edmund Andros.
 1. His tyranny.
 2. The "Charter Oak."
 3. His overthrow.
33. James II.
 1. His character.
 2. The English Revolution of 1688.

Macaulay's *History of England*, in five volumes and good print, can be bought in any good bookstore for one dollar and sixty-five cents! Who would be without it? Young people, however, should be told that Macaulay's treatment of William Penn is grossly abusive and untrue.

34. King William's War.
 1. Causes.
 2. Character of the war in the colonies.
 3. Treaty of Ryswick.
35. Witchcraft.
 1. Definition.

2. Character of the accusers and the accused.

3. Fate of those pronounced guilty.

Old Times in the Colonies. By C. C. Coffin.

Harper and Brothers, N.Y. \$3.00.

36. Queen Anne's War (War of the Spanish Succession).

1. Cause.

2. Capture of Port Royal.

3. Treaty of Utrecht.

37. King George's War (War of the Austrian Succession).

1. Cause.

2. Capture of Louisburg.

3. Treaty of Aix-la-Chapelle.

38. Settlement of New York.

1. Manhattan.

2. Kieft.

3. Stuyvesant.

4. Dutch conquered by the English.

Knickerbocker's History of New York. By Washington Irving. G. P. Putnam's Sons, N.Y. \$1.75.

39. The Swedes in America.

1. Design of Gustavus Adolphus.

2. Territory occupied by them.

40. Pequod War.

1. Cause.

2. Pequods destroyed.

History of Connecticut. By Alexander Johnston.

Houghton, Mifflin, & Co., Boston. \$1.25.

41. Yale College.

1. Founding.

2. Origin of name.

42. Settlement of New Jersey.
 1. Berkeley and Carteret.
 2. Character of the government under them.
 3. Division of the Province.
43. Settlement of Pennsylvania.
 1. William Penn.
 2. His grant.
 3. Penn's object in coming to America.
 4. Form and character of Penn's government.
 5. Treatment of the Indians.
 6. Philadelphia founded (1683).
 7. Secession of Delaware.

Life of William Penn. By Jenney. Friends' Book Association, Phila. \$1.00.

History of Pennsylvania (in preparation). By Hon. Wayne McVeagh. Houghton, Mifflin, & Co., Boston. \$1.25.
44. Maryland — Settlement.
 1. Sir George Calvert (Lord Baltimore).
 2. His object in coming to America.
 3. His successor.
 4. Conflict with Clayborne.
 5. Conflicts between Catholics and Protestants.
45. North Carolina — Settlement.
 1. Causes of discontent with the government.
 2. Conflicts with the Indians.
46. South Carolina — Settlement.
 1. Slavery introduced.
 2. Difficulties with the Indians.
 3. Character of the settlers.

47. Georgia — Settlement.
1. Oglethorpe.
 2. His object in coming to America.
 3. His treatment of the Indians.
 4. Conflicts with the Spaniards.
 5. Character of the settlers.
48. French and Indian War (1754–1763).
1. Causes.
 2. Remote.
 3. Immediate.
49. Washington's visit to General St. Pierre.
1. Object.
 2. Difficulties encountered.
 3. Result.

Washington and His Country. By John Fiske.
Ginn & Co., Boston. 75 cents.

This is Irving's "Life of Washington" abridged for the use of schools, with introduction and continuation, giving a brief outline of United States history from the discovery of America to the end of the Civil War.

50. Fort Necessity.
1. Location.
 2. Attack upon Jumonville.
 3. Washington attacked by De Villiers.
- Washington and His Country.
51. Braddock's Campaign.
1. Braddock and his aid-de-camp.
 2. Object of the campaign.
 3. Defeat.
 4. Retreat.

Life of Washington.

52. Ruin of Acadia.

1. The conquest.
2. Inhabitants banished.
3. Country laid waste.

Longfellow's Evangeline.

Montcalm and Wolf. 2 vols. By Francis Parkman.
Little, Brown, & Co., Boston. \$2.50 per vol.

A most attractive work. Covers the whole period of the French and Indian War.

Bancroft's History of the United States. 6 vols.
By George Bancroft. D. Appleton & Co., N.Y.
\$2.50 per vol.

53. General William Johnson's Campaign (1755).

1. Object.
 2. Results.
- "Montcalm and Wolf."

54. Expedition against Louisburg (1758).

1. Location of Louisburg.
2. Capture.

55. Expedition against Ticonderoga (1758).

1. Location of Ticonderoga.
2. The attack.

56. Expedition against Fort du Quesne (1758).

1. Commander of the expedition.
2. Capture of the Fort.

"Montcalm and Wolf" contains a lengthy and remarkably interesting account of this expedition. Parkman gives considerable space to the manner in which Major Grant's forces were led into ambush.

57. Capture of Fort Niagara (1759).
 1. Location of the Fort.
 2. The siege.
58. Capture of Quebec (1759).
 1. Careful study of a good map.
 2. Character of Wolf.
 3. Character of Montcalm.
 4. Montmorenci.
 5. Plains of Abraham.
 6. The fight.

Parkman's "Montcalm and Wolf."
59. Treaty of Peace (1763).
 1. Where made.
 2. Conditions.

PERIOD III.

REVOLUTION AND CONFEDERATION (1775-1789).

For information in addition to that furnished by the text-book, concerning the events of this period, the student is referred to the following works:—

Bancroft's History of the United States.

Battles of the Revolution. By H. B. Carrington.

A. S. Barnes & Co., N.Y. \$6.00.

The Boys of '76. By C. C. Coffin. Illustrated.

Harper & Bros., N.Y. \$3.00.

Irving's Life of Washington.

Diplomacy of the Revolution. By W. H. Trescot.

D. Appleton & Co., N.Y. 75 cents.

Life of Benjamin Franklin written by himself, with notes and a continuation of his life to his death in 1790. By D. H. Montgomery. Illustrated. Ginn & Co., Boston. 1888. 40 cents.

60. Causes of the Revolution.

I. General.

1. Arbitrary government.

II. Particular.

1. Influence of France.

2. Disposition of the colonists.

3. Character of George III.

4. Importation Act.

5. Stamp Act.

Life of Patrick Henry. By Moses Coit Tyler.
Houghton, Mifflin, & Co., Boston. \$1.25.

6. Boston Massacre.

7. Boston Tea Party.

8. Boston Port Bill.

Historical View of the American Revolution. By
George W. Greene. Hurd & Houghton, N.Y.
\$1.50. A book of great value. The first thirty-
two pages are devoted to a discussion of the causes
of the Revolution.

61. Efforts to avert war.

1. Moderation of Continental Congress.

2. Franklin's efforts.

3. Attitude of William Pitt.

62. Battle of Lexington (1775).

1. Location of Lexington and Concord.

2. Object of British.

3. Paul Revere.

4. Peculiar nature of the fight.

5. Results.

Lionel Lincoln. By James Fenimore Cooper.
Houghton, Mifflin, & Co., Boston. \$1.00.

Paul Revere's Ride (poem). By H. W. Longfellow.

63. Capture of Ticonderoga (1775).

1. Ethan Allen.

2. Benedict Arnold.

3. The capture.
4. Importance of the military stores.
64. Battle of Bunker Hill (1775).
 1. Draw a map of the battle-ground and vicinity.
 2. Commanders.
 3. Object in fortifying Breed's Hill.
 4. The fight.
 5. Result.

The map should be placed upon the blackboard by some pupil, before the class is called to recitation. When studying history, good maps should *always* be at the command of the student.

Life of Joseph Warren. Sparks' American Biography. Vol. X. Harper & Bros., N.Y. \$1.25.

65. George Washington.
 1. Birth.
 2. Education.
 3. Character.
 4. Made commander-in-chief.

It is now time for the student to study the topics without the aid of an outline. He should be able, without assistance, to seize upon the essential points of the matter under discussion.

66. Montreal captured (1775).
67. Attack upon Quebec (1775).

Life of Richard Montgomery. Sparks' American Biography. Vol. I. Harper & Bros., N.Y. \$1.25.

68. Siege of Boston (1776).
69. Attempt to capture Charleston (1776).
70. The Hessians.

71. Declaration of Independence (July 4th, 1776).
72. Battle of Long Island (1776).
73. Capture of General Lee (1776).
74. Battle of Trenton (1776).
75. Battle of Princeton (1777).
76. Capture of General Prescott (1777).
77. Burgoyne's campaign, including his surrender (1777).
78. Campaign of Cornwallis and Howe; including the battle of Brandywine, the occupation of Philadelphia, and the battle of Germantown (1777).

An important relation exists between these campaigns. The student should not fail to detect it.

79. Valley Forge (1777-1778).
80. Alliance with France (1778).

Life of Benjamin Franklin. By D. H. Montgomery.
Illustrated. Ginn & Co., Boston. 1888. 40 cents.

81. Battle of Monmouth (1778).
82. Wyoming Massacre (1778).
83. Cherry Valley Massacre (1778).
84. Capture of Savannah (1778).
85. Capture of Stony Point (1779).

Daring Deeds of American Heroes. By J. O. Brayman. Porter & Coates, Phila. 35 cents.

86. Attack upon Savannah (1779).
87. Exploits of Paul Jones (1779).

Life of Paul Jones. By Abbott. Dodd & Mead, N.Y. \$1.50.

88. Capture of Charleston (1780)

89. Thomas Sumter.

90. Francis Marion.

Life of General Marion. By Hartley. J. E. Potter
& Co., Phila. \$1.75.

Song of Marion's Men. By W. C. Bryant.

91. Battle of King's Mountain.

The Rear-guard of the Revolution. By Edmund
Kirke. D. Appleton & Co., N.Y. \$1.50.

92. Arnold's treason and subsequent career.

The Life and Treason of Benedict Arnold. Sparks'
American Biography. Vol. III. Harper & Bros.,
N.Y. \$1.25.

93. Condition of the army in the spring of 1781.

94. Battle of the Cowpens.

The Hero of Cowpens. By Bebecca McConkey.
Funk & Wagnalls, N.Y. \$1.00.

95. Colonel Isaac Hayne.

Romance of the Revolution. By Oliver B. Bunce.
Porter & Coates, Phila. 35 cents.

96. Surrender of Cornwallis (Oct. 19, 1781).

97. The treaty of 1783.

98. Shay's Rebellion.

99. Character of the government under the Confedera-
tion.¹

100. Formation and adoption of the Constitution.

¹ See Introduction to the Constitution.

History of the Formation of the Constitution of the
United States of America. By George Bancroft.
2 vols. D. Appleton & Co., N.Y. \$2.50 per vol.

For teachers and advanced pupils.

Principles and Acts of the Revolution. By H. Niles.
A. S. Barnes & Co., N.Y. \$3.00.

PERIOD IV.

NATIONAL PERIOD (1789-Present Time).

WASHINGTON'S ADMINISTRATION (1789-1797).

101. Inauguration of George Washington (April 30th, 1789).

History of the People of the United States. By J. B. McMaster. D. Appleton & Co., N.Y. \$2.50 per vol.

Two volumes published; gives special attention to *social* history.

Building of the Nation. By C. C. Coffin. Profusely illustrated. Harper & Bros., N.Y. \$3.00.
Every boy should have this book.

Triumphant Democracy. By Andrew Carnegie. Charles Scribner's Sons, N.Y. \$1.50.

A book that every citizen of the Republic should read.

102. Washington's Cabinet.

103. Hamilton's financial schemes.

Life of Alexander Hamilton. By H. C. Lodge. Houghton, Mifflin, & Co., N.Y. \$1.25.

104. War with the Miami Indians.

105. New States admitted.

Life of Daniel Boone. By Bogart. Lee & Shepard, Boston. \$1.25.

Life of Daniel Boone. By E. S. Ellis. Porter & Coates, Phila. 35 cents.

106. Difficulties with France.

107. Whiskey Insurrection.

108. Trouble with Great Britain.

109. Difficulty with the Dey of Algiers.

110. Issue upon which Adams was elected.

ADAMS' ADMINISTRATION (1797-1801).

111. John Adams.

Life of John Adams. By J. Q. & C. F. Adams. J. B. Lippincott & Co., Phila. \$2.00.

112. Trouble with France.

113. Preparations for war.

114. Napoleon Bonaparte.

Life of Napoleon I. By Hazlett. 3 vols. J. B. Lippincott & Co., Phila. \$1.50 per vol.

Life of Napoleon I. By M. A. Arnault. Porter & Coates, Phila. 35 cents.

115. Death of Washington.

116. Alien and Sedition Laws.

JEFFERSON'S ADMINISTRATION (1801-1809).

117. Thomas Jefferson.

Life of Thomas Jefferson. By J. T. Morse. Houghton, Mifflin, & Co., N.Y. \$1.25.

118. Purchase of Louisiana.

119. Mediterranean pirates.
120. Duel between Hamilton and Burr.
Life of Aaron Burr. By Davis. 2 vols. Harper & Bros., N.Y. \$2.00 per vol.
Life of Aaron Burr. By James Parton. 2 vols. Houghton, Mifflin, & Co., N.Y. \$2.00 per vol.
121. Captains Lewis and Clarke.
Lewis and Clarke. Travels in the Rocky Mountains. 2 vols. Harper & Bros., N.Y. 75 cents per vol.
122. Burr's treasonable scheme.
123. Robert Fulton.
Life of Robert Fulton. By Thomas W. Knox. Illustrated. G. P. Putnam's Sons, N.Y. \$1.75.
- MADISON'S ADMINISTRATION (1809-1817).
124. James Madison.
Life of James Madison. By S. H. Gay. Houghton, Mifflin, & Co., N.Y. \$1.25.
125. Causes of the War of 1812.
Field Book of the War of 1812. By Lossing. Illustrated. Harper & Bros., N.Y. \$7.00.
History of the War of 1812. By R. Johnson. Dodd, Mead, & Co. \$1.25.
126. Tecumtha.
127. Hull's surrender.
128. Battle of Queenstown.
129. Perry's victory (1813).
Life of Commodore Perry. By Mackenzie. 2 vols. Harper & Bros., N.Y. 75 cents per vol.

The Naval War of 1812. By T. Roosevelt. G. P.
Putnam's Sons, N.Y. \$2.50.

- 130. Creek Indians.
- 131. Chesapeake and Shannon.
- 132. Battle of Niagara (Lundy's Lane) (1814).
- 133. Capture of Washington (1814).
- 134. Baltimore besieged.
- 135. Hartford Convention.
- 136. Treaty of peace (Dec. 24, 1814).
- 137. Battle of New Orleans (Jan. 8, 1815).

This battle was fought after the treaty of peace had been signed. Why?

To the Memory of Gen. Sir Edward Pakenham
(Poem). By Mrs. Hemans.

MONROE'S ADMINISTRATION (1817-1825).

- 138. James Monroe.
Life of James Monroe. By D. C. Gilman. Hough-
ton, Mifflin, & Co., N.Y. \$1.25.
- 139. The Seminoles and General Jackson.
- 140. Florida purchased.
- 141. Missouri Compromise.
Thirty Years in the United States Senate. 2 vols.
By T. H. Benton. D. Appleton & Co., N.Y.
\$3.00 per vol.
Covers the period from 1821 to 1851.
- 142. Monroe Doctrine.
- 143. La Fayette's visit.

J. Q. ADAMS' ADMINISTRATION (1825-1829).

144. J. Q. Adams.

Life of J. Q. Adams. By J. T. Morse. Houghton, Mifflin, & Co., N.Y. \$1.25.

145. Georgia and the Creek lands.

146. Death of Adams and Jefferson.

JACKSON'S ADMINISTRATION (1829-1837).

147. Andrew Jackson.

Life of Andrew Jackson. 3 vols. By James Parton. Houghton, Mifflin, & Co., N.Y. \$2.00 per vol.

Life of Andrew Jackson. By Walker. J. E. Potter & Co., Phila. \$1.75.

Life of Andrew Jackson. By John S. Jenkins. Porter & Coates, Phila. 35 cents.

148. Nullification.

Life of Daniel Webster. By G. T. Curtis. 2 vols. D. Appleton & Co., N.Y. \$2.00 per vol.

Life of Daniel Webster. By Lodge.

Life of J. C. Calhoun. By Von Holst. Houghton, Mifflin, & Co., N.Y. \$1.25 each.

Life of Daniel Webster. By B. F. Teft. Porter & Coates, Phila. 35 cents.

149. Black Hawk.

150. Organization of Indian Territory.

151. Osceola.

VAN BUREN'S ADMINISTRATION (1837-1841).

152. Financial Panic.

The study of the causes of this panic will, of course, carry the student out of Van Buren's administration.

153. Canadian Revolt.

ADMINISTRATIONS OF HARRISON AND TYLER (1841-1845).

154. Character and education of Harrison and Tyler.

Life of William H. Harrison. By H. Montgomery.
Porter & Coates, Phila. 35 cents.

155. Harrison's death, and the consequences growing out of it.

156. Webster-Ashburton Treaty.

157. Dorr Rebellion.

158. The Mormons.

Origin, Rise, and Progress of Mormonism. By
Tucker. D. Appleton & Co., N.Y. \$1.25.

159. The magnetic telegraph.

Life of S. F. B. Morse. By Prime. D. Appleton
& Co., N.Y. \$5.00.

160. Causes of the Mexican War.

POLK'S ADMINISTRATION (1845-1849).

161. Battle of Palo Alto (1846).

Mexican War. By Mansfield. A. S. Barnes & Co.,
N.Y. \$1.50.

A very interesting account of this battle and of others, also a discussion of the causes of the Mexican War, will be found in Vol. I. of Grant's Memoirs.

- 162. Resaca de la Palma.
- 163. Organization of the army.
- 164. Monterey captured.
- 165. General Kearney's march to the Pacific.
- 166. California subdued.
- 167. Buena Vista.
- 168. Capture of Vera Cruz.
- 169. March upon the capital.
- 170. Capture of the city of Mexico.
Life of General Scott. By Mansfield. A. S. Barnes
& Co., N.Y. \$1.75.
- 171. Treaty of peace (1848).
- 172. The Wilmot Proviso.
- 173. Gold discovered in California (1848).

ADMINISTRATIONS OF TAYLOR AND FILMORE (1849-1853).

- 174. General Taylor.
Life of General Taylor. By H. Montgomery. Porter & Coates, Phila. 35 cents.
- 175. Admission of California to the Union.
- 176. Omnibus Bill.
Life of Henry Clay. By Smucker. J. E. Potter & Co., Phila. \$1.75.
Life of Henry Clay. By Epes Sargent and Horace Greeley. Porter & Coates, Phila. 35 cents.

PIERCE'S ADMINISTRATION (1853-1857).

- 177. Franklin Pierce.

- 178. Pacific Railroad.
- 179. The Gadsden Purchase.
- 180. Treaty with Japan.
- 181. The Kansas-Nebraska Bill.
Life of Charles Sumner. By J. and J. D. Chaplin. D. Lothrop Company, Boston. Illustrated. \$1.50.
- 182. Civil war in Kansas.
- 183. Candidates and the issue in the Presidential election of 1856.

BUCHANAN'S ADMINISTRATION (1857-1861).

- 184. James Buchanan.
- 185. Difficulties with the Mormons.
- 186. The Atlantic Cable.
- 187. Dred Scott Decision.
- 188. John Brown.
Recollections of the John Brown Raid. By Alexander Boteler and Frank B. Sanborn. Century Magazine for July, 1883.
- 189. Presidential canvass of 1860.
- 190. Secession.

LINCOLN'S ADMINISTRATION AND THE CIVIL WAR
(1861-1865).

- 191. Abraham Lincoln.
Life of Abraham Lincoln. By Arnold. Jansen, McClurg & Co., Chicago. \$2.50.

Life of Abraham Lincoln. By W. O. Stoddard.
Forbs, Howard, & Hulbert, N.Y. \$2.75.

The life of Abraham Lincoln, written by J. G. Nicolay and John Hay, is now (1887) being published by the Century Co. The first article will be found in the Century for November, 1886.

The following are a few of the many good books that can be used to great advantage, by classes or private students, while studying the history of the Civil War.

Appleton's History of the Rebellion. \$4.00.

History of the American Conflict. By Greeley.
2 vols. Subscription book, published at Hartford, Conn. \$5.00 per vol.

Harper's Pictorial History of the Rebellion.
2 vols. \$6.00 per vol.

My Days and Nights on the Battle-field. By C. C. Coffin. Estes & Lauriat, Boston. \$1.50.

The Boys of '61; or, Four Years of Fighting.
By C. C. Coffin. Estes & Lauriat, Boston. \$2.50.

History of the Civil War. By Comte de Paris.
Not yet completed. 4 vols. published. Porter & Coates, Phila. \$3.50 per vol.

Campaigns of the Civil War. Charles Scribner's Sons, N.Y. \$1.00 per vol.

The Outbreak of the Rebellion. J. G. Nicolay.

From Fort Henry to Corinth. M. F. Force.

The Peninsula. A. S. Webb.

The Army under Pope. J. C. Ropes.

The Antietam and Fredericksburg. J. W. Palfrey.

Chancellorsville and Gettysburg. A. Doubleday.

The Army of the Cumberland. H. M. Cist.
 The Mississippi. F. V. Greene.
 The Campaign of Atlanta. J. D. Cox.
 The March to the Sea. J. D. Cox.
 The Shenandoah Valley in 1864. G. E. Pond.
 The Campaign of Grant in Virginia. A. A. Humphreys.

The Navy in the Civil War.

By the same house as the above, and at the same price.

The Blockade and the Cruisers. J. R. Soley.
 The Atlantic Coast. D'Ammen.
 The Gulf and Inland Waters. A. T. Mahan.

These books were written by men who took an active part in the scenes described.

The Century Magazine articles will be given in connection with the topics to which they relate. The series of war articles in this magazine was commenced in the number for November, 1884. Back numbers of The Century may be had by sending thirty-five cents to The Century Co., 33 East 17th St., New York. The war articles are handsomely and profusely illustrated. In any school they are worth much more than they cost.

The following are subscription books. Price varies with style of binding.

Twenty Years of Congress. By James G. Blaine.

From Lincoln to Garfield. 2 vols. Henry Bill Publishing Co., Norwich, Conn.

Personal Memoirs of U. S. Grant. 2 vols.
 Charles L. Webster, N.Y.

192. Causes of the Civil War.

193. Lincoln's Cabinet.

194. Fort Sumter.

The Political Conspiracies Preceding the Rebellion,
 and the True Stories of Sumter and Pickens.

By Thomas M. Anderson. G. P. Putnam's
Sons, N.Y. 75 cents.

195. Riot in Baltimore.

196. Battle of Bull Run (July 21st, 1861).

1. Careful study of a good map.
2. Names, character, and education of commanders.
3. Why so much importance is attached to this battle.
4. Nature of the ground.
5. Plan of battle.
6. Relations of Generals Patterson and Johnston to the battle.
7. Reasons for defeat.
8. The retreat.
9. Incidents. (These will add to the interest.)
10. Effects upon the North.
11. Effects upon the South.

In making the above outline, it was assumed that the student has access to sources of information outside of the text-book.

Conversation with a man who fought in the battle is a valuable source of information.

The Battle of Bull Run. By Gen. G. T. Beauregard. Century Magazine for November, 1884.

Recollections of a Private. By W. L. Goss. Century for November, 1884.

These "Recollections" include the Battle of Bull Run, and, like all Goss's war articles, are intensely interesting.

Incidents of the Battle of Manassas (Bull Run). By Gen. John D. Imboden. Century for May, 1885. Entertaining and instructive.

Gen. Robert Patterson and the Battle of Bull Run.
By his son, Robert E. Patterson. A defence of
his father. Century for February, 1885.

197. Organization of Confederate Government.

198. Missouri in 1861.

199. Ball's Bluff.

200. The Trent Affair.

Life of W. H. Seward. By F. W. Seward. D. Appleton & Co., N.Y. \$4.25.

201. Forts Henry and Donelson (1862).

Operations of Western Flotilla. Includes engagements at Belmont, Fort Henry, Fort Donelson, Island Number Ten, Fort Pillow, and Memphis.
By Henry Walke. Century for January, 1885.

The Capture of Fort Donelson. By Gen. Lew Wallace. Century for December, 1884.

202. Battle of Shiloh (Pittsburg Landing) (1862).

The Battle of Shiloh. By U. S. Grant.

Albert Sidney Johnston and the Shiloh Campaign.
By his son, W. P. Johnston.

Notes of a Confederate Staff-Officer at Shiloh. By Thomas Jordan.

All the above in Century for February, 1885.

203. The Merrimac and Monitor.

The First Fight of Iron Clads. By J. T. Wood.

In the Monitor's Turret. By S. D. Green.

Watching the Merrimac. By R. E. Colston.

The above in Century for March, 1885.

The Loss of the Monitor. By a survivor, T. B. Butts. Century for December, 1885.

204. Capture of Forts Jackson and St. Philip (1862).

The Opening of the Lower Mississippi. By D. D. Porter.

New Orleans before the Capture. By G. M. Cable.

The above in Century for April, 1885.

Blue Jackets of 1861. A history of the navy in the Civil War. By W. J. Abbot. Dodd, Mead, & Co., N.Y. Illustrated. \$3.00.

General Butler in New Orleans. By James Parton. Houghton, Mifflin, & Co., Boston. \$3.00.

205. McClellan's Advance upon Richmond (1862).

1. McClellan's plans, with maps.

2. The battles.

Tiresome detail of these battles is not wanted. Such matter as the student can remember from reading interesting accounts of them is sufficient.

3. The retreat.

"The Peninsula" (before mentioned), by A. S. Webb, throws much light upon this campaign.

The Peninsular Campaign. By George B. McClellan. Century for May, 1885.

The Seven Days' Fighting about Richmond. By Gen. James Longstreet. Century for July, 1885.

Recollections of a Private. Retiring from the Chickahominy. Century for August, 1885.

Recollections of a Private. Up the Peninsula with McClellan. By W. L. Goss. Century for March, 1885.

206. Lee's Advance upon Washington (1862).

Life of Gen. R. E. Lee. By Cooke. D. Appleton & Co., N.Y. \$5.00.

Life of Stonewall Jackson. By Randolph. J. B. Lippincott & Co., Phila. \$2.00.

Stonewall Jackson in Maryland. By Col. H. K. Douglass.

Harper's Ferry and Sharpsburg. By Gen. John G. Walker.

Antietam Scenes. By C. C. Coffin.

The above in *Century* for June, 1886.

From the Peninsula to Antietam. George B. McClellan.

Recollections of a Private. McClellan at the Head of the Grand Army. By W. L. Goss.

The above in *Century* for May, 1886.

Recollections of a Private. Two Days of the Second Battle of Bull Run. By W. L. Goss. *Century* for January, 1886.

The Second Battle of Bull Run. By Gen. John Pope. *Century* for January, 1886.

In the Wake of Battle. By Maria Blunt. A woman's recollections of Shepherdstown during Antietam week. *Century* for July, 1886.

Battle of South Mountain, or Boonesboro. By Gen. D. H. Hill. *Century* for May, 1886.

207. McClellan superseded by Burnside, and the Battle of Fredericksburg (1862).

208. Calls for more men.

209. Emancipation Proclamation (Jan. 1, 1863).

History of the Rise and Fall of the Slave Power.
3 vols. By H. Wilson. Houghton, Mifflin, &
Co., N.Y. \$3.00 per vol.

210. Burnside superseded by Hooker, and the Battle of
Chancellorsville (1863).

"Chancellorsville and Gettysburg" (before mentioned) gives
an excellent account of this battle. General Doubleday gives
considerable space to the part which Stonewall Jackson took in
the fight, and relates the circumstances under which he received
his death wound.

211. Vicksburg.

The Siege of Vicksburg. By U. S. Grant.
A Woman's Diary of the Siege of Vicksburg.

The latter article exhibits the desperate situation of the
citizens during the siege.

Both of the above, in *Century*, for September, 1885.

212. Gettysburg (July 1st, 2d, 3d, 1863).

See larger works before named.

Battle of Gettysburg. By Comte de Paris. Porter
& Coates, Phila. \$1.20.

213. Chattanooga besieged.

Grant's *Memoirs* give the best account of the movements
about Chattanooga.

214. Charleston besieged (1863).

215. Commander-in-chief of all the armies in the United
States appointed.

1. The Commander-in-chief.
2. Advantages resulting from such an appointment.
3. Campaigns planned.

216. Sherman's campaign (1864-1865).

Memoirs of Gen. W. T. Sherman. By himself. 2 vols. D. Appleton & Co., N.Y. \$2.50 per vol.
 General Sherman. By E. V. Smalley. Century for January, 1884.

217. Mobile captured (1864).

218. Capture of Fort Fisher (1865).

219. The Alabama and other cruisers.

Life on the Alabama. By one of the crew. P. D. Haywood.

Cruise and Combats of the Alabama. By Captain J. M. Kell.

The Duel between the Alabama and the Kearsarge. By the surgeon of the Kearsarge. Dr. J. M. Browne.

Intensely interesting articles. All found in Century for April, 1886.

220. Grant's campaign (1864-1865), and Early's invasion of Maryland and Pennsylvania.

1. The Wilderness.

2. Cold Harbor.

3. Petersburg.

4. Early despatched by Lee to threaten Washington.

5. Sheridan, and "Sheridan's Ride." Century for February, 1884.

6. Sheridan joins Grant.

7. Richmond captured.

8. Lee's surrender (April 9th, 1865).

Grant's campaign and Early's invasion of Maryland and Pennsylvania are so closely connected that we present them as one topic.

The interdependence between Grant and Sherman, during the campaigns of 1864 and 1865, was such, that the defeat of the one would have greatly embarrassed, if not baffled, the other.

The student should study the relation of the one campaign to the other.

221. Capture of Jefferson Davis.

The Capture of Jefferson Davis. By B. N. Harrison. Century for November, 1883.

222. The Presidential election of 1864.

223. Assassination of President Lincoln.

How Wilkes Booth crossed the Potomac. By G. A. Townsend. Century for April, 1884.

224. Assault upon Secretary Seward.

JOHNSON'S ADMINISTRATION (1865-1869).

225. Andrew Johnson.

226. The 13th amendment to the Constitution.

227. The Amnesty Proclamation.

228. The war-debt.

229. Conduct of Napoleon III. during the Civil War.

230. Purchase of Alaska.

231. Difficulties with reference to "Reconstruction."

232. President Johnson impeached.

233. The 14th and 15th amendments to the Constitution.

GRANT'S ADMINISTRATION (1869-1877).

234. General Grant.

235. Pacific Railroad.

- 236. The Santo Domingo Question.
- 237. The Alabama Claims.
- 238. Great fire in Chicago.
- 239. Presidential election of 1872.
Life of Horace Greeley. By James Parton. Houghton, Mifflin, & Co., Boston. \$2.00.
- 240. The Boston fire.
- 241. The Modoc Indians.
- 242. Difficulties in Louisiana.
- 243. Credit Mobilier Investigation.
- 244. Financial panic of 1873.
- 245. The Centennial.
- 246. War with the Sioux Indians.
- 247. The disputed Presidency.

HAYES' ADMINISTRATION (1877-1881).

- 248. Rutherford B. Hayes.
- 249. Railroad strike.
- 250. The Nez Percé Indians.

ADMINISTRATIONS OF GARFIELD AND ARTHUR
(1881-1885).

- 251. James A. Garfield.
Life of James A. Garfield. By E. E. Brown. Illustrated. D. Lothrop & Co., Boston. \$1.50.
- 252. Assassination of Garfield.
- 253. Chinese Immigration.



CONSTITUTION OF THE UNITED STATES.

Origin of the Constitution.—Before entering upon the study of the Constitution, the student will do well to glance at the causes which led to its formation.

Although the English colonies in America were politically distinct, yet, when dangers encircled them, they were always ready to unite for mutual protection. Jealousy of the rival powers which, in the early history of our country, established colonies here, sometimes gave the impulse to this collective action; and the hostilities of the Indian tribes frequently produced the same result. When England began seriously to oppress her colonies, they quickly decided to form a union through which they might more effectually seek redress, or if need be, offer resistance. With these ends in view, the first Continental Congress, composed of delegates from twelve colonies, assembled in Carpenters' Hall, Philadelphia,

September 5th, 1774, and continued in session till October 26th of the same year.

Many of the ablest and best men in America, all anxious for peace and reconciliation, were members of this Congress, and had England been wise, she would have given heed to their pleadings and warnings.

They drew up A Declaration of Rights, an address to the people of Great Britain, and a petition to the King; but, though these papers were eminently moderate and conciliatory, they failed to induce England to desist from her oppressive course. Pacific measures having at last been exhausted, armed resistance and bloodshed followed at Lexington on the ever-memorable 19th of April, 1775. But, though the colonists now found themselves engaged in war, they did not contemplate separation or independence. Their object was to secure those rights and privileges which the English Constitution secured to every Englishman at home, especially the right to lay their own taxes in their own legislative assemblies. The Continental Congress, even after the battle of Bunker Hill, declared, "We have not raised armies with designs of separating from Great Britain and establishing independent states. Necessity has not yet driven us into that desperate measure."

Washington, too, on his way to take command of

the Continental army, said in reply to an address of the legislature of New York, that his sole object was "the re-establishment of peace and harmony between the mother country and the colonies."

A second Continental Congress, provided for by the first, assembled in Philadelphia, May 10th, 1775. This was the Congress of the Revolution. The Declaration of Independence, passed by this body, July 4th, 1776, wholly dissolved the political connection between England and the colonies, and made articles of confederation necessary. These Articles, however, were not ratified by the thirteen States until the spring of 1781.

Before their final ratification, there was no settled form of government. The powers of Congress were, to the last degree, vague and uncertain. But even under the Confederation, there was no marked improvement.

Its Congress consisted of a single body chosen by the State legislatures. The voting was by States only, each State having one vote. The general government had no President or other executive head, and no Supreme Court; hence, it could neither enforce its own laws nor decide what State acts were unconstitutional. Congress could recommend, but could not command.

If the States were called upon for money, and it

was needed in goodly quantities, they might grant it or not, as they pleased.

There was no power to compel them to give it, or to do anything else. Each State was sovereign. The Articles of Confederation expressly declared this fact. "Every treaty," says Bancroft, "introduced a foreign power; but, still, Congress had no other means of fulfilling its treaty obligations than through the good-will and concurrence of each one of the States; though it was the theory of the Articles of Confederation that the United States presented themselves to foreign powers as one nation." "The completion of the Confederation," says the same authority, "was the instant revelation of its insufficiency, and the summons to the people of America to form a better constitution."

Though the weakness of the Confederacy was sufficiently apparent during the closing years of the Revolution, its alarming inadequacy became more noticeable after the declaration of peace in 1783. It was then that John Jay said, "I am uneasy and apprehensive, more so than during the war." When the pressure of immediate danger from a foreign foe was removed, the Confederacy seemed to be about to fly to pieces because of the mutually repellent forces of jealousy, distrust, and self-interest. The Federal treasury was empty, and Congress endeav-

ored in vain to obtain an amount sufficient to pay the troops. Some of the States had made treaties with others without the consent of Congress. Others had levied taxes on all imports from neighboring States, while some, by their navigation laws, treated the citizens of other States as aliens. Many men of influence did not hesitate to declare that "no one republican government could rule harmoniously over so vast a country, and over such conflicting interests." "They hoped," says a prominent historian, "there would be three republics; a republic of the East, a republic of the middle States, and a republic of the South." In Massachusetts, Daniel Shay headed a rebellion against the collection of taxes. With all these facts before them, the statesmen of the times could not fail to perceive that more strength must be given to the Confederacy or the union would quickly come to a disgraceful end. In January, 1786, a resolution was drafted "for the appointment of commissioners from Virginia and all the other States, to digest and report the requisite increase of the powers of Congress over trade, their report to be of no force until it should be unanimously ratified by the several States." This resolution passed both branches of the legislature of Virginia. The commissioners appointed agreed to meet at Annapolis on the first Monday of September. The student will

see that these men were authorized simply to suggest some improvements relative to commercial intercourse. Not all the evils above enumerated, had at that time appeared above the political horizon, and the legislatures were not then prepared to grant more extended powers.

Indeed, only a few States were ready to do this much. The commissioners who reached Annapolis, soon decided that nothing less than a new Federal Government would meet the needs of the hour. They therefore suggested that it would advance the interests of the Union, if the States which they represented would agree, and would use their influence to induce the other States to agree, "to meet at Philadelphia on the second Monday of next May to consider the situation of the United States, and devise such further provisions as should appear necessary to render the Constitution of the Federal Government adequate to the exigencies of the Union, and to report to Congress such an act as, when agreed to by them and confirmed by the legislature of every State, would effectually provide for the same." On their return home, some of the commissioners were plainly told that "they should have confined themselves to the purposes of their errand." The utter helplessness of Congress, however, soon taught the people that a political renovation was fast

becoming a necessity. Virginia was the first State to act upon the suggestion made by the Annapolis Convention, and the other States, with the single exception of Rhode Island, soon fell into line.

When the delegates came together in May, it was found that some were disposed to do no more than amend the Articles of Confederation; others, prominent among whom were Washington and Madison, pointed out the necessity of a new Constitution. All were soon convinced that the work before them was not simply that of improvement, but rather that of reconstruction—they were not to remodel an old house, but to build a new one.

The result of their labors was that “more perfect union,” spoken of in the opening clause of the Constitution, under which we have grown great and prosperous.

Preamble.—We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of North America.

Government of some kind is an absolute necessity. All nations, in all times, have recognized this fact. Constitutions, however, are not necessary, for the

inhabitants of some countries are governed without them; nevertheless, a written constitution is a grand safeguard against caprice and oppression. Russia has no constitution, and the Russian government is so oppressive that the people are constantly on the verge of revolution. The Russian Liberals (not revolutionists) are even now demanding a constitutional form of government.

We certainly have reason to be thankful that we live in a country possessing one of the best constitutions ever formed. "The American Constitution," says William E. Gladstone, "is the most wonderful work ever struck off at a given time by the brain and purpose of man." But we must not delude ourselves by supposing that there is some magic power in our form of government that will, while the people remain in careless inactivity and trust to fortune, render it invulnerable to all the assaults that may in the future be made against it. No citizen of the United States should for a moment forget that a republican form of government rests directly upon the intelligence and the virtue of the people.

Remove these pillars from the temple of freedom reared by our fathers at so great a cost, and the whole structure will fall, burying a nation beneath its ruins. Our Government, which we believe is the best that the sun shines upon, is safe, however, just

so long as it is fortified by the intelligence and sustained by the virtues of the people. The preamble quoted above, is not an enacting part of the Constitution—it does not grant any powers. Its only purpose is to explain the motives of those who framed the Constitution.

Legislative Power. — All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

The Constitution opens with a compromise. In the convention called for the purpose of establishing a permanent system of government, were two parties. The one advocated the representation of the people; the other desired the representation of the States.

Neither party would yield, and a House of Representatives to represent the people, and a Senate to represent the States, was the result. Two Houses of Congress are, indeed, just what we need. If there were but one, undue haste, ignorance, or excitement, might give us many harmful laws. Just as two persons are not likely to make the same mistakes in performing a lengthy multiplication, so two Houses of Congress are not likely to make the same mistakes in framing a law. Since the two Houses must

consider the same questions, and must agree in their decisions, the student will see that there is but little chance for hurtful legislation. Then, too, as an additional check, there yet remains the President's veto power, of which we shall learn hereafter.

SECTION II.

House of Representatives. — The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

The members of the House of Representatives are frequently chosen, in order that they may be relied upon to obey the wishes of the people. The qualifications for electors (persons allowed to vote) varied in the different States.

Then, too, in some of the States, persons who were allowed to vote for the less important officers were not permitted to vote for the higher ones. Finally, as a compromise, it was decided that the qualifications should be the same in each State as those requisite for the electors of the most numerous branch (House of Representatives) of the State legislature.

In simple language, the person who was allowed by State law to vote for members of the House of

Representatives in his own State, was entitled to vote for members of the National House of Representatives.

Qualifications of Members. — No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

A person who has not attained to the age of twenty-five years is not allowed to be a representative, because he does not possess the knowledge and experience that time alone can give. A representative is not required to be a citizen of the United States by birth. The foreigner, however, who reaches the National House of Representatives, must have lived here at least twelve years; for no alien can become a citizen until he has lived within the country five years, and after this, seven years of citizenship are demanded. This demand is made because we want to be sure that he really intends to make this country his home. That he must be an inhabitant of the State from which he is chosen, is a matter to which great importance is attached. In practice, the people go even farther than this, and insist that a representative must come from the particular "district" (a section of the State containing one hun-

dred and fifty-four thousand inhabitants) that sends him to Congress. For this reason, a district in eastern Pennsylvania will not permit a man from the western part of the State to represent it in the House of Representatives at Washington. A little consideration will show that this is right. A man who lives out of a district cannot be so well acquainted with the needs of its people as a man who lives in it. Moreover, even if it be granted that the outsider is as well acquainted with the needs of the people as any resident, it will be seen that a non-resident, having no particular interest in the district, would more readily disregard the will of the residents.

Apportionment of Representatives and Direct Taxes. — Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.

The above became a part of the Constitution after a debate so angry and prolonged, that many persons feared it would be impossible to effect a union of the States. The student who reads this provision hurriedly may see nothing in it to stir up so great a

commotion. The secret lies in the last words. The phrase, "three-fifths of all other persons," was used to avoid the direct mention of the word "slave."

An examination of the census of 1790 shows that there were in the States at that time, six hundred and eighty-one thousand eight hundred and forty-six (681,846) slaves. More than three-fourths of this number were south of the Potomac, and fourteen-fifteenths of them were south of Pennsylvania. Virginia alone held nearly one-half of the entire number. Some of the delegates in the convention insisted on proportioning representation according to wealth as well as population. Others argued that population would constitute a good measure of wealth. After much debate it was decided that the number of representatives from the different States should be in proportion to the population. Some of the Southern States now insisted that all their slaves should be counted as a portion of their population, though these slaves could not vote and were regarded merely as property. Some of the Northern States, with equal energy, insisted that none of the slaves should be counted.

Other States, Virginia among them, acknowledged that it would be unjust to count all the slaves when making the estimate for representation; but they were unwilling that all should be excluded. An-

other compromise became a necessity. The people of the North said, acceding to a proposition from the South, you may count three-fifths of your slaves and add them to the number of free persons in your States for the purpose of determining the number of representatives belonging to you, if, in like manner, you increase the direct taxes naturally falling to your share. The people of the South agreed to do this, thus increasing their representation, but at the same time and to the same extent, adding to their taxes. Very few direct taxes, however, were laid before the Civil War, and thus the people of the South had "the best of the bargain."

The student will see that this part of the Constitution is now without effect; for there are no longer any slaves in the United States. The law, at present in force, is to be found in the second section of the Fourteenth Amendment.

Census. — The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct.

It is necessary to count frequently all the people in the United States, in order that representatives may be properly divided among the States. The framers of the Constitution thought this counting

should be done once every ten years. The census not only determines the number of people in the country,¹ but it shows where they are, how they are employed, from what nations they come, their educational advantages, and many other important facts. The census of 1880 furnished so much information that it will fill many large volumes, all of which are not yet (1887) published.

Number of Representatives.—The number of representatives shall not exceed one for every thirty thousand; but each State shall have at least one representative; and until such enumerations shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts, eight, Rhode Island and Providence Plantations, one, Connecticut, five, New York, six, New Jersey, four, Pennsylvania, eight, Delaware, one, Maryland, six, Virginia, ten, North Carolina, five, South Carolina, five, and Georgia, three.

The Constitution does not fix the number of representatives. It simply says the number shall not exceed one for every thirty thousand. This number was made the original “basis of representation.”

In other words, the whole country was divided into districts containing, as nearly as possible, thirty thousand people.

¹ For the population as reported by the decennial censuses, see Appendix.

Each of these districts elected one representative, and the first House of Representatives contained sixty-five members, because at that time the population of the country was great enough to make that number of districts each containing thirty thousand inhabitants.

The population has increased so much since that time, that if thirty thousand were now taken as the basis of representation, the House of Representatives would be so large and unwieldy that it would hardly be possible to transact business. In order, therefore, to keep the number of representatives down to a working limit, the basis of representation has been increased from time to time. In 1870 we had one representative for every one hundred thirty-eight thousand inhabitants; but the census of 1880 showed such an enormous increase in population, that it was found necessary to enlarge the districts so that they might contain one hundred and fifty-four thousand inhabitants. This basis gives us three hundred and twenty-five representatives, and no change will be made until after the census of 1890.

But what is the meaning of the words, "Each State shall have at least one representative"?

Those who framed the Constitution saw that States not having a population equal to the basis of representation might be admitted to the Union.

They wished to secure a representative for each and every State of that kind. We may take Colorado as an example. This State was admitted into the Union in 1876, with a population of only forty-two thousand. At that time the basis of representation was one hundred and thirty-eight thousand; but notwithstanding this, the above provision of the Constitution gave Colorado one representative.

Vacancies. — When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

The Speaker and Impeachments. — The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

An impeachment is a written accusation charging a civil officer of the United States with treason, bribery, or other high crime or misdemeanor. If such an accusation is made, it must be brought forward by the House of Representatives.

The speaker (presiding officer) of the House of Representatives is a highly important person. By some he is regarded as next to the President in importance.

On all official occasions, however, his place is first after the Vice-President.

It was thought best to give the House of Repre-

sentatives the power of impeachment, because they, representing the people, would best know whether there was cause for complaint. The House has exercised this power several times; only once, however, upon a President, — Johnson, — whose case is most conspicuous.

SECTION III.

Senate. — The Senate of the United States shall be composed of two senators from each State, chosen by the legislature thereof, for six years; and each senator shall have one vote.

The period of six years was the result of another compromise. Some members of the convention thought three years long enough, while others argued for terms varying from four to nine.

The extremes each moved half the intervening distance, and they met at six years. Those who advocated a short term, were afraid the senators might obtain too much power and become too independent of the people. Those who pleaded for a longer term, saw more clearly the advantages of experience, and were anxious to have the Senate sufficiently independent to check an impulsive people. But why does the Constitution say, “Each senator shall have one vote”? To understand this, we must be familiar with the character of the Congress of the Confedera-

tion. This Congress was a single body, composed of not less than two nor more than seven representatives from each State. In voting, each State cast a *single* ballot. You see, then, that under the Confederation, the vote of a representative (the word senator was not then used) did not count even so much as one. In a State with seven representatives, it took them all to cast one vote—the vote of their State. The above clause in the Constitution changes this. There is now no voting by States (except when the House of Representatives elects the President of the United States); but each senator has one vote.

Classification.—Immediately after they shall be assembled in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class, at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature which shall then fill such vacancies.

This classification is a wise one. It secures to us a Senate two-thirds of which, at least, have had some experience. On the other hand, the inexperienced

one-third, (supposing none of the former senators are sent back,) coming fresh from the people, may be more ready to serve them. The student will see that this classification tends to diminish any evils which may be urged against a long senatorial term.

Qualifications. — No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

The reasons already given for demanding certain qualifications of representatives, apply with increased force to senators, because their duties are thought to be more responsible. But there is an additional reason for demanding higher qualifications of senators. With the President, (see Article II., Section II.,) they make *treaties with foreign nations*. Now if it were possible for men who had been citizens for only a year or two, to become senators, it is highly probable that in any treaty between the United States and their native country, these men would feel more kindly towards their old home than towards their new one. It is a wise provision that requires nine years of citizenship.

President of Senate. — The Vice-President of the United States shall be president of the Senate, but shall have no vote, unless they be equally divided.

The Vice-President is not a senator. He was not elected by any State to represent it, and therefore should not vote, except in the case of a "tie."

Officers and president pro tem.—The Senate shall choose their other officers, and also a president pro tempore, in the absence of the Vice-President, or when he shall exercise the office as President of the United States.

It is customary for the Senate to choose one of their number for the position of president *pro tempore* (for the time being) at the beginning of the session, and he is elected when the occasion arises. Since the president *pro tempore* is a senator, he of course votes on all questions which come before the Senate; otherwise his State would lose one vote.

Trial of impeachment.—The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the chief-justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

There is an excellent reason for a change of presiding officer in the Senate, when the President of the United States is on trial. If the President is convicted, the Vice-President is placed at the head of the nation. Under such circumstances it might

be possible that the Vice-President would not conduct the trial in an impartial manner. The Constitution therefore provides that the chief-justice, who has nothing to gain or lose by the trial, shall preside.

Judgment. — Judgment, in cases of impeachment, shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment, according to law.

SECTION IV.

Election of members of Congress. — The times, places, and manner of holding elections for senators and representatives, shall be prescribed in each State by the legislature thereof; but the Congress may, at any time, by law, make or alter such regulations, except as to the places of choosing senators.

The States have, in the first place, power to control the times, places, and manner of holding elections for senators and representatives; but in order to prevent a State from defeating in any way the Federal Government, the Constitution here gives power to Congress to alter the State regulations, concerning these matters, in all particulars but one. In Article I., Section III., it is declared that senators shall be chosen by the legislatures of the States. If, then,

the above exception as to the *place* of choosing senators were not made, Congress would have power to name the places in which the State legislatures shall meet. The exception is made, because this is an affair that Congress should not control.

To meet annually.—The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

That Congress must assemble at least once a year, is a matter of great importance. If Congress should convene only at long and uncertain intervals, power would quickly accumulate in the hands of a few, and the representative character of our government would be destroyed. The Constitution does not designate the place where Congress shall meet. With respect to questions of this nature, there must be some freedom. The prevalence of a contagious disease, or other causes, might make it desirable, or even necessary, to change the regular place of meeting. Under such circumstances the President may, by proclamation, convene Congress at such other place as he may consider suitable.

SECTION V.

Power of each house.—Each house shall be the judge of the elections, returns, and qualifications of its own

members; and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each house may provide.

Power to punish and expel.—Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two-thirds, expel a member.

Journals.—Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy.

Yeas and nays.—And the yeas and nays of the members of either house, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

By yeas and nays are meant the votes which are to be recorded on the journals of each house. When the yeas and nays are not called for, members may shun responsibility, either by not voting at all, or by having their voices drowned by others; and even if their votes are known, there is no record of them. But when the yeas and nays are called, every member, unless excused, must vote; and the votes are entered upon the journal. It thus becomes impossible to escape responsibility. On the other hand,

a factious minority is given an opportunity to impede legislation by constantly calling for the yeas and nays.

Adjournment. — Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SECTION VI.

Compensation. — The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States.¹

Privileges. — They shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance on the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

A congressman when on his way to or from Washington, or when there attending to his duties, cannot be arrested unless he is accused of being a traitor, or of having committed a crime great enough to send him to the State prison, or is disturbing the peace of the community.

Were it not for this provision, corrupt politicians might band together and have a large number of

¹ For salaries of senators and representatives, see Appendix.

congressmen, who were known to be hostile to their schemes, arrested when on their way to Washington. Those who were not thus detained could pass such laws as pleased them, before the arrested parties could have time to prove themselves innocent of the charge brought against them. Moreover, the people who elected the congressmen that were seized, would, in the meantime, be unrepresented. That they shall not be *questioned* in any other place, for any speech or debate in either House, means that, for any speech or debate in either House, they shall not be *sued*. In other words, they cannot be held legally responsible. Thus the congressmen are given great freedom of speech. This a man must have that he may defend himself and his opinions. But this freedom of speech cannot be abused. The Constitution contains a provision that puts a check upon it.

The provision is found in Article I., Section V.

The student should find it for himself.

Exclusion from office. — No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

SECTION VII.

Revenue bills. — All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

The people have to pay the taxes, hence the representatives who most directly reflect the will of the people, are the proper persons to bring forward bills for raising revenue. All other bills may originate in either House; but bills for raising revenue must originate in the House of Representatives. This provision puts great power in the hands of the people. If the President and Senate combined want to engage in war, they cannot, against the will of the people. To prevent such an evil, we have only to cut off, through our representatives, the supply of money. In this country, the people are supreme. They may not always desire the best things for themselves, but what they *want* they can get.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house

shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and, if approved by two-thirds of that house, it shall become a law. But, in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively.

If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Joint orders, resolutions, etc. — Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment), shall be presented to the President of the United States; and, before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION VIII.

General powers. — The Congress shall have power:—

Taxation. — To lay and collect taxes, duties, imposts, and excises to pay the debts, and provide for the common

defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

A tax is a levy made upon the person, property, or income of individuals, for the support of the government. Taxes are of two kinds, direct and indirect. A direct tax is laid directly on the income or property itself. An indirect tax is imposed on articles of production or consumption.

Duties are charges upon goods and merchandise imported or exported.

Imposts are taxes laid, generally, upon imported goods. Excises are inland duties.

They were laid originally only on certain products of home industry and consumption; but they are now levied on some imported articles, as tobacco and wine.

Excises operate as indirect taxes on the consumer.

Loans.—To borrow money on the credit of the United States.

Commerce.—To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

Naturalization.—*Bankruptcy.*—To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

The law regulating naturalization is somewhat complicated and has been changed from time to time. The law at present (1887) in force may, in general terms, be stated briefly as follows :

1. The country of the applicant must be at peace with ours.
2. His intention to become naturalized must have been declared under oath, before some federal or State court, two years before his admission.
3. He must have resided five years within the country, and one year within the State where the application is made, behaving as a good citizen ; which must be proved by other testimony than his own oath.
4. He must take an oath to support the Constitution of the United States, and abjure all other allegiance.
5. If he has borne any title of nobility, he must renounce it.

When a foreigner is naturalized, his wife and minor children, if living in this country, become citizens with him. There are some special provisions relative to soldiers. It is taken for granted that a man who, at any time, fought for this country, is sincere in his desire to become a citizen.

Coin. — Weights and measures. — To coin money, regulate the value thereof, and of foreign coin, and to fix the standard of weights and measures :

Counterfeiting. — To provide for the punishment of counterfeiting the securities and current coin of the United States :

Post-offices. — To establish post-offices and post-roads.

Patents and Copyrights. — To promote the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries :

Courts. — To constitute tribunals inferior to the Supreme Court :

Piracies, etc. — To define and punish piracies and felonies committed on the high seas, and offences against the law of nations :

“The high seas” include the waters of the ocean without the boundary of any country ; also, the uninclosed waters of the ocean, which are without the limits of low-water mark.

War. — To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water :

Letters of marque and reprisal are commissions granted by the government to private individuals, to take the property of a foreign state, or of its citizens or subjects, as a reparation for an injury committed by such state, or its citizens or subjects, for which it has refused satisfaction. Such letters are issued for the purpose of averting war.

Reprisal means a taking in return ; marque is a law term applied to a license to pass the boundaries of a country for the purpose of such taking.

Army. — To raise and support armies ; but no appropriation of money to that use shall be for a longer term than two years :

Navy. — To provide and maintain a navy : To make rules for the government and regulation of the land and naval forces :

Militia. — To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions :

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress :

Exclusive Legislation. — To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings :

Laws for carrying out vested Powers. — And to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

When considering the subject of exclusive legislation, as exercised by Congress over the seat of government, it is well to remember that there was at first much jealousy between the States as to where the capital should be.

Both Philadelphia and New York were anxious to become the capital of the nation. Each place thought it would gain great importance, and some control over the laws, if it were thus honored. To prevent just this possibility, a particular part of the country — the District of Columbia — was given up entirely to the National Government. The District of Columbia is neither a State nor a Territory, and will always remain without any power in the government.

Slave Trade. — SEC. IX. The migration or importation of such persons, as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight; but a tax, or duty, may be imposed on such importation, not exceeding ten dollars for each person.

In the above, the word "slave" was again studiously avoided; but the student will see that the words, "such persons as any of the States now existing shall think proper to admit," have reference to slaves. This provision concerning them was the re-

sult of a compromise in the Convention. The Constitution is full of compromises. Without them, it could never have had an existence.

Habeas Corpus. — The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

The words “*habeas corpus*” are from the Latin. The equivalent in English is, “you may have the body.” If a prisoner thinks he has been unjustly arrested, he, or his friends, may apply to a United States judge for a writ of *habeas corpus*.

This commands the persons who have the prisoner in keeping to bring him before the judge. If he decides that the prisoner is lawfully held, he sends him back to prison; but if it is found that the charge upon which he is kept in custody is false or insufficient, the judge orders that he shall be released, and he is immediately set at liberty.

When this privilege is suspended, the government may imprison whom it pleases; and hold them as long as it pleases, and that, too, without giving a reason. Only tyrants would wish to have the writ suspended, except upon the conditions named in the Constitution.

Our government suspended this privilege in 1863, when it became necessary because of the Civil War.

Even then, the suspension was confined to that part of the country which was actually in a state of war.

The above explanation considers the writ of *habeas corpus* as related to the National Government. United States judges can grant the writ only in cases of violation of United States laws. But most of the State Constitutions contain a clause just like the one in the Constitution of the United States, that we are now considering.

If the prisoner is accused of breaking State law, he can make application for the writ, to any judge of a higher court in his State.

Bill of Attainder. — Ex Post Facto Law. — No bill of attainder or *ex post facto* law shall be passed.

A bill of attainder is an act of a law-making body by which the punishment of death is inflicted upon a person for some crime; and that, too, without any trial. But the punishment does not end here. The children of a person thus executed cannot inherit any property which they are entitled to receive, because “the blood” is pronounced “attainted.” In the seventeenth century such bills were passed in England, but the bill of attainder was long ago abolished there. Our Constitution prevents the possibility of such rank injustice in the United States. The nature of an *ex post facto* law (that is, a law

made after the act it is intended to punish) will be best understood by means of examples.

Suppose that in the State of Pennsylvania there was, yesterday, no law against burglary. Many burglaries, however, having been committed yesterday, and the State, seeing the necessity of putting a check upon this wrong, to-day passes a law against it; and declares that the men who were burglars yesterday shall be imprisoned for ten years. This would be an *ex post facto* law.

Let us now make another supposition. Suppose that in the State of Pennsylvania there was, yesterday, a law against burglary. Suppose, also, that the penalty for transgression was imprisonment for ten years. Many burglaries, however, having been committed yesterday, the State, seeing the necessity of greater severity, to-day passes a new law and declares that the burglars of yesterday shall be punished by it; and that they shall all be hanged. This, too, would be an *ex post facto* law. The student will now understand the definition that follows.

An *ex post facto* law is one that makes punishable, as a crime, an act which was not criminal when done; or that increases the punishment of a crime after it has been committed. Any one can see the injustice of such a law. The clause which we have been considering is binding upon the National Gov-

ernment only. But the Constitution does not stop here. In Article I., Section X., the *States* are commanded not to pass any bill of attainder or *ex post facto* law. How carefully are our rights guarded!

Direct Taxes.—No capitation or other direct tax shall be laid, unless in proportion to the census, or enumeration, hereinbefore directed to be taken.

A capitation tax is one imposed upon each head, or person, of the population.

Such a tax is sometimes called a poll-tax.

State Exports.—No tax or duty shall be laid on articles exported from any State. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

Port Duties. — Receipts and Expenditures.—No money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public moneys shall be published from time to time.

Titles and Receipt of Presents prohibited.—No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state.

Because of the above provision, there are still lying in the treasury at Washington, costly jewels that were presented by a foreign ruler to President Van Buren. Were it not for this clause, presents might be only another name for bribes.

Limitations of the Powers of the States. — SEC. X. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

Imposts. — No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any State on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

Tonnage Duties. — Troops and Ships of War. — No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in times of peace, enter into any agreement or compact with another State or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

President. — SEC. I. The executive power shall be vested in a President of the United States of America.

Term of Office. — He shall hold his office during the term of four years, and together with the Vice-President, chosen for the same term, be elected as follows: —

Mode of Election. — Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of senators and representatives to which the State may be entitled in the Congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector. The electors shall meet in their respective States and vote by ballot for two persons, of whom one, at least, shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the Senate. The president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose, by ballot, one of

them for President; and if no person have a majority, then, from the five highest on the list, the said house shall, in like manner, choose the President. But, in choosing the President, the vote shall be taken by States; the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be Vice-President. But, if there should remain two or more who have equal votes, the Senate shall choose from them, by ballot, the Vice-President.

The method here described of electing a President and Vice-President, is now superseded by a plan explained in the Twelfth Amendment.

Time of Election. — The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

The above provision is one of great importance. Suppose the electors should be chosen in the different States at different times. Suppose, too, that all the States except one, have chosen their electors, and that the result of the Presidential election depends upon the choice of electors in that State. How irresistible would be the temptation for each party to resort to dishonest methods!

Even with these restrictions as to time, there is room enough for fraud.

Congress, having been given the power to determine the time of choosing the electors, selected for this purpose the Tuesday next after the first Monday in November. Having been chosen, the electors of each State, meeting at the capital of their own State, vote, on the first Wednesday of the next December, for President and Vice-President.

Qualifications of President. — No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

This part of the Constitution, naming the qualifications of a man eligible to the office of President, is peculiar. Omitting the part that is now obsolete it would read as follows: — “No person except a natural born citizen shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.” It is believed that the additional words were used for the purpose of including Alexander Hamilton among the persons

eligible to this high office ; though of course the language is comprehensive enough to include many other naturalized foreigners. Hamilton was born in the West Indies ; but at the time of the adoption of the Constitution he was a citizen of the United States and had been a resident therein just about fourteen years. At that time, however, he was only thirty years of age. He had done much for his adopted country, and some persons thought he should have an opportunity to become President. Now, however, it is impossible for a foreigner to be elected President. Any man who reaches this position must have been born in this country, he must have attained to the age of thirty-five years, and he must have been fourteen years a resident of the United States. The student will see that the other condition named (that he may be a citizen of the United States at the time of the adoption of the constitution) is obsolete, because persons embraced in it are now dead.

Let it be remembered, however, that absence from the United States does not necessarily imply loss of residence. The legal residence of a citizen of the United States, living in France or Germany, or any other country, is in the United States.

Presidential Succession.—In case of the removal of the President from office, or of his death, resignation,

or inability to discharge the powers or duties of the said office, the same shall devolve on the Vice-President, and the Congress may, by law, provide for the case of removal, death, resignation, or inability both of the President and Vice-President, declaring what officer shall then act as President; and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The Constitution does not declare who shall become President in case of the removal, death, resignation, or inability, both of the President and Vice-President, but wisely confines itself, as in many other cases, to general directions, and says, Congress may by law provide for these contingencies.

Congress did, in 1792, pass a law providing for the Presidential succession. By this law, if both the President and the Vice-President were in any way removed, the President *pro tempore* of the Senate, or, after him, the Speaker of the House, would have become President of the United States. These two men, however, could have held this high office, only temporarily. The law, in an elaborate manner, which it is now unnecessary to explain, provided for another election by the people. Fortunately, we have never yet lost, in the same Presidential term, both the President and the Vice-President. But it is clear that we might be so unfortunate, and if so, it was

seen that the old law was in many particulars unsatisfactory. To point out one defect of this law will be sufficient.

Cleveland and Hendricks were elected by the Democrats. Mr. Hendricks soon died. Had Cleveland also died, or in any way been rendered incapable of performing the duties of his office, John Sherman, a Republican who was in 1886 president *pro tempore* of the Senate, would have become acting President of the United States.

This would, for a time at least, have placed the Republicans in power, notwithstanding the fact that at a recent election a majority of the people had voted for Democratic rule.

Seeing the defects of the old law, the last Congress passed a new one which is given in full below. This act was approved, January 19, 1886, and is therefore in force at the present time.

An act to provide for the performance of the duties of the office of President in case of the removal, death, resignation, or inability both of the President and Vice-President.

New Law regulating the Presidential Succession. — Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, that in the case of removal, death, resignation, or inability of both the President and Vice-President of the

United States, the Secretary of the State, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Treasury, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of War, or if there be none, or in case of his removal, death, resignation, or inability, then the Attorney-General, or if there be none, or in case of his removal, death, resignation, or inability, then the Postmaster-General, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Navy, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Interior, shall act as President until the disability of the President or Vice-President is removed, or a President shall be elected; provided, that whenever the powers and duties of the office of President of the United States shall devolve upon any of the persons named herein, if Congress be not then in session, or if it would not meet in accordance with law within twenty days thereafter, it shall be the duty of the person upon whom said powers and duties shall devolve to issue a proclamation convening Congress in extraordinary session, giving twenty days' notice of the time of meeting.

SECTION II.

That the preceding section shall only be held to describe and apply to such officers as shall have been appointed by the advice and consent of the Senate to the offices therein named, and such as are eligible to the office of President under the Constitution, and not under

impeachment by the House of Representatives of the United States at the time the powers and duties of the office shall devolve upon them respectively.

SECTION III.

That sections one hundred and forty-six, one hundred and forty-seven, one hundred and forty-eight, one hundred and forty-nine, and one hundred and fifty of the Revised Statutes are hereby repealed.

The repealed sections of the Revised Statutes are those that would be in conflict with the new law.

His Compensation. — The President shall, at stated times, receive for his services a compensation,¹ which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the United States or any of them.

Oath of Office. — Before he enter on the execution of his office, he shall take the following oath or affirmation: —

“I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States.”

¹ For the salary of the President, Vice-President, and others, see Appendix.

Powers and Duties. — SEC. II. The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

Treaties. — *Appointing Power.* — He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint, ambassadors, other public ministers, and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may, by law, vest the appointment of such inferior officers as they think proper, in the President alone, in the courts of law, or in the heads of departments.

Power to fill Vacancies. — The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions, which shall expire at the end of their next session.

Further Powers. — SEC. III. He shall, from time to time, give to the Congress information of the state of the Union, and recommend to their consideration such

measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and, in case of disagreement between them with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed; and shall commission all the officers of the United States.

Impeachments. — SEC. IV. The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

Judiciary. — SEC. I. The judicial power of the United States shall be vested in a Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish.

Tenure and Compensation. — The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

Judicial Powers. — SEC. II. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to

all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States, between a State and citizens of another State, between citizens of different States, between citizens of the same State claiming lands under grants of different States, and between a State or the citizens thereof, and foreign States, citizens, or subjects.

Jurisdiction of the Supreme Court. — In all cases affecting ambassadors, other public ministers, and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make.

Trial for Crimes. — The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

Treason. — SEC. III. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort.

Witnesses. — No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

It will be observed that treason is so defined, that there can be no mistake about the meaning of the word.

The framers of the Constitution knew that in times of great political excitement, there might be a tendency to raise comparatively small offences up to the grade of treason and to punish them as such. The definition of treason here given precludes this danger. It will also be seen that the clearest evidence of guilt is required.

Punishment. — The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.

An act of Congress passed in 1790 declares that the punishment of treason shall be death by hanging; but by an act of Congress passed July 17, 1862, the punishment in the discretion of the court may be imprisonment for not less than five years and a fine of not less than \$10,000.

The act of 1790 names the maximum of punishment, and that of 1862, the minimum.

ARTICLE IV.

State Records. — SEC. I. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the

Congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

Privileges of Citizens. — SEC. II. The citizens of each State shall be entitled to all privileges and immunities of the citizens in the several States.

This does not mean that a citizen of Pennsylvania has, when in Georgia, every privilege he enjoys when in Pennsylvania. It means that he is, when in Georgia, entitled only to the privileges enjoyed by a citizen of that State.

Fugitives from Justice.— A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

Fugitives from Labor. — No person held to service or labor in one State under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

The student will here see far enough beneath the surface to understand that the above provision enabled the citizens of a slave-holding State to recover their slaves when they escaped into other States. It

has been held, too, that under this clause, masters may, in some cases, reclaim apprentices.

This provision, so far as it related to fugitive slaves, is, of course, no longer in force.

New States. — SEC. III. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislature of the States concerned, as well as of the Congress.

Territories. — The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States or of any particular State.

Republican Form of Government, etc., guaranteed. — SEC. IV. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence.

ARTICLE V.

Amendments. — The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the

legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid, to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; Provided, that no amendment, which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

It will be seen that amendments to the Constitution of the United States may be proposed in two ways, and the proposed amendments may be ratified in either of two ways. Thus far, all amendments have been proposed by Congress, and ratified by the legislatures of the States.

ARTICLE VI.

Debts. — All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

Supreme Law of the Land. — This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be

made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

Oaths of Office. — The senators and representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution.

No Religious Test. — But no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

Ratification. — The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in Convention by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names.

GEORGE WASHINGTON, *President,*
and Deputy from Virginia.

New Hampshire. — John Langdon, Nicholas Gilman.

Massachusetts. — Nathaniel Gorham, Rufus King.

Connecticut. — William Samuel Johnson, Roger Sherman.

New York. — Alexander Hamilton.

New Jersey. — William Livingston, David Brearly, William Patterson, Jonathan Dayton.

Pennsylvania. — Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas Fitzsimons, Jared Ingersoll, James Wilson, Gouverneur Morris.

Delaware. — George Read, Gunning Bedford, Jr., John Dickinson, Richard Bassett, Jacob Broom.

Maryland. — James McHenry, Daniel of St. Thomas Jenifer, Daniel Carroll.

Virginia. — John Blair, James Madison, Jr.

North Carolina. — William Blount, Richard Dobbs Spaight, Hugh Williamson.

South Carolina. — John Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler.

Georgia. — William Few, Abraham Baldwin.

Attest :

WILLIAM JACKSON, *Secretary.*

AMENDMENTS

TO THE CONSTITUTION.



ARTICLE I.

Freedom of Religion, of Speech, of the Press, and Right of Petition. — Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II.

Right to bear Arms. — A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

Quartering of Troops. — No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV.

Searches and Seizures. — Warrants. — The right of the people to be secure in their persons, houses, papers, and

effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.

ARTICLE V.

Trials for Crimes. — Rights of Property. — No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger; nor shall any person be subject, for the same offence, to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

ARTICLE VI.

Rights of Defendants in Criminal Cases. — In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted by the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

ARTICLE VII.

Trials in Civil Cases. — In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court in the United States than according to the rules of the common law.

ARTICLE VIII.

Bail, Fines, etc. — Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

Reserved Rights. — The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

Powers not Delegated, Reserved. — The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The first ten amendments are known as the “Bill of Rights.” They are so called, because in them are named those rights that are essential to the liberties of the people. Not one of these amendments, however, made any real change in the Constitution. They were added for the purpose of allaying ap-

prehensions and discontents. Several of the States adopted the Constitution only after bitter opposition and by small majorities. Moreover, these small majorities were generally obtained by the help of resolutions promising to recommend to Congress "whatsoever amendments may be deemed necessary."

The House of the first Congress of the United States sent to the Senate seventeen articles of amendment. Only twelve of these, however, passed the Senate, and of these twelve, two failed to receive from the States that approval which was necessary to their ratification.

The remaining ten amendments became a part of the Constitution in 1791.

ARTICLE XI.

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state.

This amendment, like all the following ones, did make a decided change in the Constitution. During the Revolution bills of credit were issued by the States. These bills were not paid, and, after the adoption of the Constitution, private persons brought suits against some of the States to compel payment.

The Supreme Court decided that, under the provisions of Article III., Section II., of the Constitution, these individuals could, through the United States courts, institute legal proceedings against the States. This method of proceeding against a State was objected to by the people, and hence they asked for an amendment that would prohibit it. This is just what the Eleventh Amendment does. An individual cannot sue a State, through a State court, and this Amendment prevents him from doing so through the United States courts. A private person, therefore, cannot sue a State in any court. It seems that it is thought best to allow the State to pay the private person in its own time and way or not at all, as happened in several instances to the disgrace of the dishonest States which repudiated their just obligations, and, which though since grown rich, still refuse to cancel them. "Honesty is the best policy," is a maxim which should be remembered by States as well as individuals.

One State, however, may sue another State; but this must be done through the United States courts. Suits by a foreign State against any one of the United States may also be maintained. The Eleventh Amendment was adopted in 1798.

ARTICLE XII.

Election of President and Vice-President. — The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify and transmit sealed to the seat of government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President.

But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not

choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.

The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President, shall be eligible to that of Vice-President of the United States.

The Twelfth Amendment changed the manner of electing the President and Vice-President described in Article II., Section I.

By the old method, the person who had next to the highest number of votes became Vice-President, and this person must have been the chief opponent of the President. In practice it was found that the great mass of voters was generally found in two opposing parties, which were nearly equal in power, and hence, by the original mode of election, the President and Vice-President represented different political opinions. The change made by the Twelfth

Amendment secures a President and Vice-President from the same party. This amendment was adopted in 1804, and was thus the result of fifteen years experience.

The following explanation will aid the young student in understanding what is meant by "a majority of the whole number of electors appointed." There are now 401 presidential electors—one for each representative and senator. Suppose their votes to be distributed among four candidates as below.

For President.	For President.	For President.	For President.
A. B.	C. D.	E. F.	G. H.
120	115	100	66

Here no one of the candidates has a majority of the whole number of electors. A. B., who received the highest number of votes, lacks eighty-one votes of a bare majority of the whole number of electors, and such a result would throw the election into the House of Representatives. Thomas Jefferson, inaugurated in 1801, and John Q. Adams, inaugurated in 1825, were elected by the House. These two cases, however, were not alike in all particulars. Jefferson was elected when the method of choosing the President, explained in Article II., Section I., was in force; Adams, when this method had been superseded by that of the Twelfth Amendment. The

election was thrown into the House in 1800, because Jefferson and Aaron Burr received an equal number of electoral votes, and each had a majority of the whole. In 1824, the choice of President was referred to the House, because no one of the candidates had a majority of the whole number of electoral votes. The student will notice that if the election by the people, through their electors, fails, the House elects the President, because it more closely represents the people; but under like circumstances, the Senate elects the Vice-President, because he becomes its president, and the senators ought to have a voice in his selection. When, however, the President is elected by the House, the votes must be taken by States, the representation from each State having one vote. The reason for this is obvious. The States, as such, must not be ignored. When, therefore, a President is elected by the House, the representatives from each State first vote among themselves, the majority selecting the candidate.

The States are now ready to vote together, the one vote of each State being cast for the candidate selected by the majority of the representatives from the respective States, and the majority of these State votes determines who shall be President. The framers of the Constitution intended that the presiden-

tial electors should use their own judgment in selecting a proper person for President. The existence of political parties, however, prevents this. In practice the electors make no choice whatever. The candidates for President and Vice-President are named beforehand, and the electors of a party simply vote for the men nominated in that party's convention. In a presidential election, then, men do not vote (directly) for President and Vice-President; but they vote for electors, it being known, however, that these electors will, in all probability, vote for certain men as President and Vice-President. It is, nevertheless, possible that the selection must be really made by the electors, as, for instance, in case of the death of one or more of the candidates before the election takes place. In 1872, Horace Greeley, one of the candidates for President, died before the meeting of the Electoral College. When this body met on the first Wednesday of December, three electors from Georgia, who had been chosen to vote for Greeley, cast their votes for him; but others gave complimentary votes to various persons. If General Grant had died when Greeley did, the Republican electors would have been expected to select the President. Additional information upon this subject will be found in the Appendix.

ARTICLE XIII. (adopted 1868).

Slavery abolished. — SEC. I. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Power of Congress. — SEC. II. Congress shall have power to enforce this Article by appropriate legislation.

The Emancipation Proclamation, issued January 1, 1863, was not considered sufficient. It did not have the legal effect that an amendment to the Constitution has. The Thirteenth Amendment was the final step in the abolition of slavery.

Nothing like the second section of this amendment appears in any of the others that we have considered. The student will notice that like sections are found in the Fourteenth and Fifteenth Amendments. The reason for this is found in the fact that the States recently in rebellion were known to be hostile to these Amendments and might try to resist or evade them. There was no disposition on the part of any of the States to oppose any of the first twelve amendments, and hence no such sections were appended to them.

ARTICLE XIV. (adopted 1868).

Citizenship defined. — SEC. I. All persons born or naturalized in the United States, and subject to the

jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

Civil Rights. — No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

This amendment met with the most bitter and prolonged opposition.

Its opening sentence reversed the origin and character of American citizenship.

Before the adoption of the Fourteenth Amendment, a person was a citizen of the United States because he was a citizen of the State in which he happened to live.

Now, a person is a citizen of any State in this Union in which he may choose to live, because he is a citizen of the United States — because he was born or naturalized therein, and is subject to their jurisdiction. This basis of citizenship is uniform and just. All persons who meet equal requirements are citizens. The United States, not a State, determine who are citizens. So long as the State had the power to decide who were, and who were not citizens, there could be no fixed basis of citizenship. A person who

was a citizen in one State might not be a citizen in another.

For example: Before the Civil War, negroes were citizens in Pennsylvania, but they were not citizens in South Carolina. The first sentence of the Fourteenth Amendment made the negro a citizen both of the United States and of the State in which he may live, no matter what State it is. It was suspected that those States which were known to be averse to giving citizenship to the negro might feel disposed to enforce severe laws against him, and thus try to make him even more miserable than he was when a slave. The second sentence of the amendment prevents this.

Apportionment of Representatives. — SEC. II. Representatives shall be apportioned among the several States, according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for choice of electors for President and Vice-President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens

shall bear to the whole number of male citizens twenty-one years of age in such State.

To understand this section, the student must bear in mind that Section I. of this amendment, which made the negro a citizen and secured him in his civil rights (the right to go where he pleases, to hold property, etc.), did not give him the right to vote. The State still had power to say who should exercise this right.

But since the negroes were now citizens, they should be counted in the basis of representation; though it would be unfair to count them in this basis, if they were not allowed to vote. It was very well known, however, that the Southern States would deny to the negro the right to vote, unless some strong inducement were offered for granting it. It is therefore declared in Section II. that the negro (the word is not used, but it is he who is meant) must not be included in the basis of representation until he is allowed to vote. By a provision of Article I., Section II., before explained, the people of the South were permitted to count three-fifths of their slaves, but now they had no slaves.

If, then, they denied to the negro the right to vote, their number of representatives would be greatly reduced, and their power would be diminished in the same ratio.

The Fourteenth Amendment does not positively declare that a State must not deny to the negro the right to vote, but the student will see that the denial carried with it a heavy penalty.

Political Disabilities. — SEC. III. No person shall be a senator or representative in Congress, or elector of President or Vice-President, or hold any office, civil or military, under the United States or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same or given aid or comfort to the enemies thereof, but Congress may, by a vote of two-thirds of each house, remove such disability.

The mass of those who engaged in the Rebellion against the National Government were pardoned as soon as they laid down their arms. But the leaders, men who at any time occupied any of the positions named in this section, were more guilty than they who simply followed them; and they were to be more sternly dealt with.

Only by a vote of two-thirds of each House, could these men be again permitted to hold or enjoy any office or position of honor, profit, or trust, under the United States or any State. Before such a vote

could be secured, Congress would have to be convinced of their good intentions.

Congress has, indeed, been very lenient, having, in nearly every case, removed the disabilities.

Public Debt. — SEC. IV. The validity of the public debt of the United States authorized by law, including debts incurred for payment of pensions, and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States, nor any State, shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

This section is so plain that explanation is unnecessary.

Power of Congress. — SEC. V. Congress shall have power to enforce this Article by appropriate legislation.

Ample opportunity was given to exercise the authority herein granted.

To protect life and property, and to prevent lawlessness and crime, Congress was obliged to resort to the extreme measure of placing the Southern States under military rule.

ARTICLE XV. (adopted 1870).

Elective Franchise. — SEC. I. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

Power of Congress. — SEC. II. The Congress shall have power to enforce this Article by appropriate legislation.

The Thirteenth Amendment gave the negro his freedom; the Fourteenth, among other things, made him a citizen and secured to him his civil rights; and the last amendment to the Constitution gave him, practically speaking, the right of suffrage — the right to vote. The Fifteenth Amendment does not absolutely give to the negro the right to vote, but it does shield him from unjust discrimination with respect to this matter.

Each State for itself, not the United States, determines what qualifications shall be demanded of its voters. If the negro can meet the conditions required of other men (excepting those relating to race, color, or previous condition of servitude), then he, too, has the right to vote.

It is well to remember that the right to vote carries with it the right to hold office.

APPENDIX.

THE books named below are well adapted to the purpose of supplementary reading on history. Incomplete as the list is, it is given in the hope that it may be of some assistance to teachers and superintendents.

All the books in this list can be used in the grammar grades.

PUBLISHED BY GINN & CO., BOSTON.

Washington and His Country. By John Fiske. 75 cents.

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PRESIDENTS OF THE UNITED STATES.

Year of Qualification.	No.	Name.	Where From.	Term of Office.
1789	1	George Washington . .	Va.	8 years.
1797	2	John Adams	Mass.	4 years.
1801	3	Thomas Jefferson . .	Va.	8 years.
1809	4	James Madison	Va.	8 years.
1817	5	James Monroe	Va.	8 years.
1825	6	John Quincy Adams . .	Mass.	4 years.
1829	7	Andrew Jackson . . .	Tenn.	8 years.
1837	8	Martin Van Buren . . .	N.Y.	4 years.
1841	9	William Henry Harrison	Ohio	1 month.
1841	10	John Tyler	Va.	3 yrs. 11 m.
1845	11	James Knox Polk . . .	Tenn.	4 years.
1849	12	Zachary Taylor	La.	1 y. 4 m. 5 d.
1850	13	Millard Fillmore . . .	N.Y.	2 y. 7 m. 26 d.
1853	14	Franklin Pierce	N.H.	4 years.
1857	15	James Buchanan	Pa.	4 years.
1861	16	Abraham Lincoln . . .	Ill.	4 y. 1 m. 10 d.
1865	17	Andrew Johnson	Tenn.	3 y. 10 m. 20 d.
1869	18	Ulysses S. Grant . . .	Ill.	8 years.
1877	19	Rutherford B. Hayes . .	Ohio	4 years.
1881	20	James A. Garfield . . .	Ohio	6 m. 15 d.
1881	21	Chester A. Arthur . . .	N.Y.	3 y. 5 m. 15 d.
1885	22	S. Grover Cleveland . .	N.Y.	

Numbers 9 and 12 died in office from sickness. Numbers 16 and 20 were assassinated. Numbers 10, 13, 17, and 21 were elected Vice-President, and succeeded to the Presidency. Numbers 12 and 19 were inaugurated on the 5th of March, because the 4th fell upon Sunday; this also occurred on the second terms of 1 and 5.

The student should not be required to memorize many dates. A few of the *greatest importance, thoroughly com-*

mitted to memory, are sufficient. It will be to the student's advantage to make himself familiar with the following. These will form a nucleus around which other dates will naturally cluster.

1492	Hispaniola, one of the West Indies, discovered by Columbus.
1607	Jamestown settled by the London Company.
1619	Negro slavery introduced in Virginia.
1620	Landing of the Pilgrims at Plymouth.
1754-1763	French and Indian War.
1765	Parliament passed the Stamp Act.
1775 (April 19th)	Battle of Lexington.
1776 (July 4th)	Declaration of Independence.
1777 (October 17th)	Burgoyne surrendered.
1778 (February 6th)	France acknowledged the independence of the United States.
1781 (October 19th)	Cornwallis surrendered.
1783	Treaty of peace signed between Great Britain and the United States.
1803	Louisiana bought of Napoleon.
1812-1814	Second war with Great Britain.
1820	Missouri Compromise.
1846-1848	War with Mexico.
1850	Henry Clay's Omnibus Bill.
1860	Abraham Lincoln elected President.
1861	Southern Confederacy formed.
1863 (January 1st)	Emancipation Proclamation.
1863 (July 1st, 2d, 3d)	Battle of Gettysburg.
1865 (April 9th)	Lee's surrender.
1865 (April 14th)	President Lincoln assassinated.
1881 (July 2d)	President Garfield shot and mortally wounded by Charles J. Guiteau.

ELECTORAL AND POPULAR VOTE FOR PRESIDENT,
1884.

STATES.	ELECTORAL VOTE.				POPULAR VOTE.			
	Cleveland, Dem.	Blaine, Rep.	St. John, Pro.	Butler, Gbk.	Cleveland.	Blaine.	St. John.	Butler.
Alabama	10	...	...	...	93,030	59,588	610	762
Arkansas	7	...	...	...	72,927	50,860	...	1,847
California . . . .	...	8	...	...	88,307	100,816	2,640	1,975
Colorado . . . .	...	3	...	...	27,627	36,277	761	1,958
Connecticut	6	...	...	...	67,167	65,893	2,489	1,684
Delaware	3	...	...	...	16,976	13,053	74	10
Florida	4	...	...	...	31,769	28,031	74	...
Georgia	12	...	...	...	94,567	47,964	184	125
Illinois . . . .	...	22	...	...	312,421	337,502	12,074	10,907
Indiana	15	...	...	...	244,992	238,480	3,018	8,716
Iowa . . . .	...	13	...	...	178,557	197,124	1,472	...
Kansas . . . .	...	9	...	...	90,132	154,406	4,495	16,346
Kentucky	13	...	...	...	152,758	118,674	3,106	1,656
Louisiana	8	...	...	...	62,546	46,347	338	120
Maine . . . .	...	6	...	...	51,656	71,716	2,143	3,994
Maryland	8	...	...	...	96,932	85,699	2,794	531
Massachusetts . . . .	...	14	...	...	122,352	146,724	9,923	24,382
Michigan . . . .	...	13	...	...	189,361	192,669	18,403	763
Minnesota . . . .	...	7	...	...	70,065	111,685	4,684	3,583
Mississippi	9	...	...	...	76,510	43,509	...	...
Missouri	16	...	...	...	235,988	202,929	2,153	...
Nebraska . . . .	...	5	...	...	54,391	76,912	2,899	...
Nevada . . . .	...	3	...	...	5,577	7,193	...	26
New Hampshire . . . .	...	4	...	...	39,192	43,249	1,575	552
New Jersey	9	...	...	...	127,785	123,370	6,155	3,494
New York	36	...	...	...	563,154	562,005	25,006	17,004
North Carolina	11	...	...	...	142,928	125,068	448	...
Ohio . . . .	...	23	...	...	368,280	400,082	11,269	5,170
Oregon . . . .	...	3	...	...	24,604	26,860	521	767
Pennsylvania . . . .	...	30	...	...	392,785	473,804	15,737	17,002
Rhode Island . . . .	...	4	...	...	12,391	19,030	928	422
South Carolina	9	...	...	...	69,890	21,733	...	...
Tennessee	12	...	...	...	133,270	124,090	1,151	957
Texas	13	...	...	...	223,208	88,353	3,511	3,321
Vermont . . . .	...	4	...	...	17,331	39,514	1,752	785
Virginia	12	...	...	...	145,497	139,356	132	...
West Virginia	6	...	...	...	67,317	63,096	939	810
Wisconsin . . . .	...	11	...	...	146,459	161,157	7,656	4,598
Total	219	182	...	...	4,910,799	4,844,848	150,820	134,262

An examination of the above table shows that neither St. John nor Butler obtained a single electoral vote. The real contest was between Blaine and Cleveland. The table shows that the Democratic *plurality* (the excess of votes cast for one individual over those cast for any one of several competing candidates) in Alabama was 33,442. This gave the vote of all the electors, to which the State was entitled, to Cleveland. In the State of New York, the Democratic plurality was only 1149, yet this gave New York's thirty-six electoral votes to Cleveland. Blaine's plurality in Pennsylvania was 81,019, thus securing to him the electoral vote of the State. If his plurality in the State had been but *one*, the result would have been the same—he would have received Pennsylvania's thirty electoral votes.

The student will now see that the *plurality* of the *popular* vote in a State decides how the electoral vote of that State shall be cast, and a *majority* (more than half the whole number of votes cast) of the *electoral* votes, determines who shall be President. In the end it was found that Mr. Cleveland had 219 electoral votes, and Mr. Blaine had 182.

Cleveland was, therefore, declared elected. Since the total number of electoral votes was 401, it is plain that 201 votes was the smallest possible number by which any one could have been elected.

The table shows that Cleveland not only had a majority of the electoral votes, but he also had a plurality of 65,951 in the total popular vote. It is possible, however, for a man to become President *without* a plurality of the popular vote. If, for example, Mr. Cleveland had

carried his States by smaller pluralities, the plurality of the entire popular vote might have been thrown to Mr. Blaine, though the electoral vote and the final result would have remained unchanged. When a President does not receive a majority of the popular vote, he is called a minority President.

We have already had several such Presidents.

The following classes of persons were excluded from the benefits of the Amnesty Proclamation of May 29th, 1865. They are *not* to be committed to memory.

First, "All diplomatic officers and foreign agents of the Confederate Government."

Secondly, "All who left judicial stations under the United States to aid the Rebellion."

Thirdly, "All military and naval officers of the Confederacy above the rank of colonel in the army or lieutenant in the navy."

Fourthly, "All who left seats in the Congress of the United States to join the Rebellion."

Fifthly, "All who resigned, or tendered resignation, in the army or navy of the United States, to evade duty in resisting the Rebellion."

Sixthly, "All who have been engaged in treating otherwise than as lawful prisoners of war, persons found in the United States service as officers, soldiers, or seamen."

Seventhly, "All persons who have been, or are, absentees from the United States for the purpose of aiding the Rebellion."

Eighthly, "All officers in the rebel service who have been educated at the United States Military or Naval Academy."

Ninthly, "All men who held the pretended offices of governors of States in insurrection against the United States."

Tenthly, "All persons who left their homes within the jurisdiction and protection of the United States, and passed beyond the Federal military lines into the pretended Confederate States for the purpose of aiding the Rebellion."

Eleventhly, "All persons who have been engaged in the destruction of the commerce of the United States upon the high seas, and all persons who have been engaged in destroying the commerce of the United States upon the lakes and rivers that separate the British Provinces from the United States."

Twelfthly, "All persons who, at the time when they seek to obtain amnesty and pardon, are in military, naval, or civil confinement, as prisoners of war, or persons detained for offences of any kind either before or after conviction."

Thirteenthly, "All participants in the Rebellion, the estimated value of whose taxable property is over twenty thousand dollars."

It was believed that men whose taxable property exceeded twenty thousand dollars, must have been men of influence, and were, therefore, those who led their neighbors into the Rebellion. The student will readily see the reasons for the other exceptions.

The following salaries are attached to the positions under the United States Government named below :—

President of the United States	\$50,000 and official residence.
Chief Justice	10,500
Associate Justice	10,000
Vice-President	8,000
Speaker of the House	8,000
Cabinet Officers	8,000
Senators	5,000 and travelling expenses.
Representatives	5,000 and travelling expenses.

The population of the United States as reported by the decennial censuses has been as follows :—

Years.	Population.	Years.	Population.
1790	3,929,214	1840	17,069,453
1800	5,308,483	1850	23,191,876
1810	7,239,881	1860	31,443,321
1820	9,633,822	1870	38,558,371
1830	12,866,020	1880	52,152,866

The student will see that our population has been doubled every twenty-five years.

SOVEREIGNS OF ENGLAND,

FROM THE DISCOVERY OF AMERICA TO THE PRESENT TIME.

Name of Sovereign.	Length of Reign.
Henry VII.	1485-1509
Henry VIII.	1509-1547
Edward VI.	1547-1553
Queen Mary	1553-1558
Queen Elizabeth	1558-1603
James I.	1603-1625
Charles I.	1625-1649
Oliver Cromwell ¹	1649-1660
Charles II.	1660-1685
James II.	1685-1689
William III. and Mary II.	1689-1702
Queen Anne	1702-1714
George I.	1714-1727
George II.	1727-1760
George III.	1760-1811
Prince of Wales (regency)	1811-1820
George IV.	1820-1830
William IV.	1830-1837
Queen Victoria	1837-.

¹ Protector or President of the Republic.

Washington and His Country.

By WASHINGTON IRVING and JOHN FISKE. 654 pages, including 13 maps. 12mo. Cloth. Mailing price, \$1.10; for introduction, \$1.00.

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